

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

MDL No. 1456

Civil Action No. 01-CV-12257-PBS

THIS DOCUMENT RELATES TO:
State of Iowa v. Abbott Laboratories, et al.

Judge Patti B. Saris

**TEVA PHARMACEUTICALS USA, INC. AND NOVOPHARM USA, INC.'S
MOTION TO COMPEL ANSWERS TO INTERROGATORIES AND THE
PRODUCTION OF DOCUMENTS**

Pursuant to Rule 37 of the Federal Rules of Civil Procedure, Defendants Teva Pharmaceuticals USA, Inc. and Novopharm USA, Inc. (collectively, "Teva") respectfully request that this Court enter an order compelling Plaintiff, the State of Iowa ("State"), to produce documents and information responsive to its discovery requests, including: (1) documents relating to the State's knowledge of and/or calculation of the Average Manufacturer Prices ("AMPs") for Teva's drugs, (2) the identity of current or former State employees allegedly misled by Teva with regard to the prices of Teva's drugs, and (3) the steps taken by the State to ensure that it paid Iowa Medicaid providers no more than the actual acquisition costs of Teva's drugs.

This motion is supported by the accompanying Memorandum in Support of Teva Pharmaceuticals USA, Inc. and Novopharm USA, Inc.'s Motion to Compel.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(a)(2), the undersigned hereby certifies that counsel for Teva met and conferred with counsel for the State on September 23, 2009 regarding the issues raised in this motion.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Teva requests oral argument of the issues raised in this motion.

Dated: January 7, 2010

Respectfully submitted,

/s/ Jennifer G. Levy
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Corporation, Ivax Pharmaceuticals, Inc.,
and Barr Laboratories, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2010, a true and correct copy of the foregoing Teva Pharmaceuticals USA, Inc. and Novopharm USA, Inc.'s Motion to Compel Answers to Interrogatories and the Production of Documents was electronically served on all counsel of record by transmission to LexisNexis File & Serve.

/s/ Jennifer G. Levy
Jennifer G. Levy